

**ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE
1113.14 INITIAL POLICE REPORTS**

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CONTENTS

1. DOCUMENTATION
2. SUBMISSION OF REPORTS
3. ADDITIONAL SITUATIONS REQUIRING AN INCIDENT REPORT
4. SITUATIONS NOT REQUIRING AN INCIDENT REPORT
5. VICTIM RIGHTS BOOKLET
6. INCIDENT REPORT REQUESTS
7. FIELD INTERVIEW REPORTS (FIRs) AND PHOTOGRAPHS
8. TRAFFIC CRASH REPORTS
9. SIGNIFICANT EVENTS
10. OVERTIME OR EXTRA-DUTY REPORTS
11. SUPERVISORS' REPORT REVIEW

POLICY:

It is the policy of the Orlando Police Department to document reported and suspected crimes and criminal activity occurring within its jurisdiction.

Additionally, certain noncriminal events, situations, and circumstances as specified in this directive will also be documented.

Employees will conduct a thorough, comprehensive, and complete preliminary investigation. If the investigation reveals that a crime has been attempted or committed, the employee will document the information on a police Incident Report. Employees will complete any and all additional paperwork required.

PROCEDURES:

1. DOCUMENTATION

The following illustrates the procedures for the documentation of criminal activity.

1.1 CRIMES OR CRIMINAL ACTIVITY

When responding to a call concerning an alleged crime, the assigned employee will conduct an investigation, which will include, but is not limited to, completing a detailed report, obtaining witness/victim statements, canvassing the neighborhood, processing or having the scene processed, and ensuring all pertinent evidence is collected.

When an employee's name is initially listed in an official police document, i.e., Incident Report, Charging Affidavit, Uniform Traffic Citation, or Notice to Appear, the employee number shall be listed immediately following every employee name. For example, the entry would appear as follows: Officer John Doe 9999. The employee number would be required for the first entry only of the employee name in the document.

1.2 FELONY CRIMES OR CRIMINAL ACTIVITY

Felony crimes or criminal activity will be documented on an Incident Offense Report. Felony traffic offenses may be documented on a crash report.

1.3 MISDEMEANOR CRIMES OR CRIMINAL ACTIVITY

Misdemeanor crimes or criminal activity will be documented in an Incident Offense Report unless documented on a Charging Affidavit or Notice to Appear except in cases of domestic/dating violence where both an affidavit and incident report are required. Misdemeanor traffic offenses may be documented by an accident investigation and/or a traffic citation.

Minor neighborhood or retail disputes may not require documentation if:

- a. Physical violence or property damage has not occurred, and
- b. The dispute is resolved to the satisfaction of all parties concerned, and
- c. The victim does not want a report.

In misdemeanor arrest or notice to appear cases, the following applies:

- a. Since the Charging Affidavit will be the sole documentation source, it must contain all the elements and specifics of the crime.
- b. All witnesses, including responding officers, will be listed on the Charging Affidavit at the bottom of the page. The witness information will include both home and work addresses and phone numbers. The defendant's copy will not have the witness information in it. When placing the witness information in the affidavit, first remove the witness sections from both the court's and defendant's copies. Both copies are perforated for ease of removal.
- c. Arrest affidavits must be completed and submitted as directed in current procedures.

Whenever a misdemeanor Charging Affidavit serves as the Incident Offense Report, the officer will submit the package to his or her supervisor within three calendar days to include any supplements, statements, or evidence information. For additional information, refer to the current issue of P&P 1202, Filing Criminal Cases.

1.4 ONLINE REPORTING

Citizens wishing to file a Police Report online will be directed to the City of Orlando's website (www.orlando.gov) or the Orlando Police Department's Website, <http://www.orlando.gov/police/index.htm> providing the following required criteria is met:

- a. The reported incident does not require an emergency response.
- b. The reported incident does not involve any type of weapon.
- c. The reported incident occurred within the limits of the City of Orlando, Florida.
- d. There are no known suspects.
- e. The reporting party is at least 18 years of age.
- f. There is no evidence to be collected or processing required.
- g. Only the following incidents will be reported via online reporting:
 - i. Lost Property
 - ii. Vandalism
 - iii. Petit Theft
 - iv. Harassing Phone Calls
 - v. Pickpocket
 - vi. Vehicle Burglary

NOTE: Officers shall always complete investigations in all vehicle burglary and other property crimes. Only in special circumstances and with supervisory approval is an officer permitted to offer the victim of a vehicle burglary the option to complete an online report, i.e., the property is no longer available for processing or the victim cannot wait for the officer to obtain a written statement and process the scene.

2. SUBMISSION OF REPORTS

The employee taking the information will complete the initial report as soon as possible. In all cases, the report shall be completed before the end of the employee's tour of duty, unless the immediate supervisor approves a delay. When the employee's computer is down, reports will be completed on common computers.

Incident and supplemental report information is automated and data entered by the Report Review/Information Unit. Associated documents or attachments shall be filed by Records Unit personnel.

An Incident Offense Report **MUST** be submitted prior to the employee going back in service for all missing/recovered persons and property crimes which would require teletype entries (i.e., recovered/stolen vehicles, stolen tags, thefts where a serial number is known), unless supervisory approval or exigent circumstances exist.

An Incident Report must be submitted by the end of the shift (including supplemental reports) for the following:

- a. All felony crimes.
- b. All cases where a vehicle was towed and held.
- c. Any fraud or forgery case (Economic Crime Unit) in which a suspect is known (not AKAs).
- d. Missing/recovered persons.
- e. Home invasions.
- f. All occupied residential burglaries.
- g. Sexual batteries.
- h. Lewd acts.
- i. Exposure cases.
- j. Elderly abuse.
- k. Child abuse.
- l. Homicide.
- m. Robberies.
- n. Assault and batteries.
- o. Domestic violence or Dating Violence.
- p. Stalking.
- q. Kidnapping.
- r. Arson.
- s. All misdemeanor at-large (PC) affidavits.
- t. Newsworthy incidents, e.g., public figures.
- u. Incidents requiring a Response to Resistance investigation, with the exception of misdemeanor incidents where chemical agent is the sole response to resistance and there are no injuries, claimed or evident.

All other reports must be completed within 24 hours, with supervisory approval. The employee must notify his or her supervisor and get permission to hold a report to the next day. Under no circumstance will a report be held if the employee is not working the next day.

All reports requiring entry into Teletype (i.e., missing persons, stolen vehicles, or property) will be forwarded to Teletype by the reporting employee. Once Teletype confirms the entry and the report match, Teletype will route a copy of the entry of missing persons, stolen vehicles, and guns to the Criminal Investigations Division (CID).

2.1 SUPPLEMENTAL REPORTS

All supplemental reports by the Criminal Investigations Division personnel shall be completed within the following timeframe:

- a. Supplement reports by detectives shall be completed every 30 days to update the progress of assigned cases that remain open. In cases of open homicide and missing adults (where no endangerment exists), supplemental reports will be submitted by June 30 of each year to update the case progress.

- b. Cleared by arrest supplement reports made by detectives shall be completed within seven days of the arrest.

A supplement will be completed for the recovery of missing persons, stolen vehicles, or other stolen property. The reporting employee is responsible for assuring that Teletype has removed the person or property from NCIC/FCIC and shall indicate such in the report. Teletype will route the cancellation to CID. CID detectives will ensure that the cancellation is correct.

2.2 EXEMPTION FROM PUBLIC RECORDS DISCLOSURE

Section 119.071(4)(d)2., Florida Statutes, exempts certain information relating to current and former sworn or civilian law enforcement personnel, correctional and correctional probation officers, prosecutors, and judges by excluding from public inspection: home addresses, personal telephone numbers, dates of birth, and photographs. The same statute exempts certain information relating to family members of such personnel by excluding from public inspection: names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel, and the names and schools and locations of schools and day care facilities attended by the children of such personnel. OPD Staff submitting report shall provide the Exempt From Public Record Disclosure Form (See Attachment B) to the individual requesting exemption from public records.

Any information (including name, address, photograph, etc.) that reveals the identity of a victim of sexual battery, sexual offense, or child abuse is exempt from public records disclosure as provided in Florida Statutes, Chapter 119. These exemptions are automatic and do not require that the victim request anonymity (See current OPD P&P 1403 for exempt forms).

In addition, there are other possible public records exemptions for victims of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence or dating violence. If one of these victims files a written request for this exemption, including official verification (police report) that the applicable crime has occurred, then the exemption in §119.071(2)(j)1, Fla. Stat. (2012) will apply. For a period of five years thereafter, any information that reveals their home or employment telephone number, home or employment address, or personal assets, is exempt from public disclosure. Officers shall inform these victims of their rights and provide a copy of the Exemption from Public Records Disclosure form (available in the Quartermaster Unit). Completed forms shall be routed to the Report Review/Information Unit for entry. (See current OPD P&P 1403 for exempt forms).

If the form is completed, the officer shall include a statement in the narrative of the Incident Offense Report indicating such.

2.3 ONLINE REPORTS

The Report Review/Information Unit will review all online submitted incidents, Monday through Friday. Should all the required criteria be met, the Report Review/Information Unit will approve the report and assign a permanent case number. The complainant will be notified via email that the report has been accepted and will be provided the permanent case number. Should the report not meet the required criteria, a member of the Report Review/Information Unit will notify the complainant via email with an explanation on the proper way to proceed. Approved online submitted reports shall be processed and forwarded in the same manner as all other Incident Offense Reports.

2.4 REPORT DISTRIBUTION

Distribution of reports to specialized units within the Department shall be accomplished by the Report Review/Information Unit.

All reports of stolen vehicles, missing persons, and stolen property with serial numbers will be forwarded to Teletype by the employee taking the report.

2.5 LATE REPORTS

It is the responsibility of the Report Review/Information Unit both to ensure that reports are properly UCR-coded (except crash reports) and to audit those computer-generated case numbers with a disposition of "A" (report written), against the receipt of actual reports that have been data entered. An initial late notice shall be forwarded to the employee's supervisor for reports not received within 24 hours. If no reply is received within 72 hours, a second late notice shall be forwarded to the employee's lieutenant. If no reply is received within an additional 72 hours, a third late notice shall be forwarded to the employee's captain. If no response is received within 72 hours of the third notice, disciplinary action will be initiated against the employee. This same procedure will be utilized for traffic accident (crash) reports.

2.6 REPORT WRITING GUIDE

All reports that are covered by the Report Writing Guide will be completed in accordance with the guide. The guide is available on OPD Online under the Training tab.

2.7 WITNESS/VICTIM STATEMENTS

Witness/victim statements will be obtained by the initiating employee in ALL criminal cases. Statements will be obtained on ANY case involving transient or non-local victims, whether the subject responsible for the criminal offense has been identified or not. If the victim does not desire prosecution, employees will complete the witness/victim Statement form (Attachment A) and instruct the victim to sign the declination to prosecute section or initial the intent to prosecute section **for all investigations except domestic violence or dating violence investigations. For domestic violence or dating violence cases, the Statement form shall be utilized; however, officers shall not ask domestic violence or dating violence victims about prosecution nor allow them to sign the declination to prosecute section on the Statement form.**

2.8 CASE ASSIGNMENT

The investigative sergeant may assign a case to the initiating and/or arresting officer when:

- a. Requested by the initiating officer.
- b. An on-view arrest or probable cause arrest has been made and the case is complete.
- c. An on-view arrest or probable cause arrest has been made, or should have been made, and the case can be completed with a minimum of effort.

2.9 LOST PROPERTY

It is not necessary to complete a report on all lost property. An incident number will be issued if the person is calling the Police Department to document the loss in order to have the insurance company replace their telephone, etc. The information required to document the incident will include the person's name, home address, home and work telephone numbers, race, sex, date of birth, location of occurrence, and the description of the property (e.g., cellular telephone, driver's license, passport, etc.). This information will be documented by calling the Information Desk. The Information desk personnel must contact OPD Radio to obtain a case number for lost property. The disposition code assigned shall be PL (property lost). When feasible, the complainant in these cases will be instructed to submit his or her report via the online reporting process.

3. ADDITIONAL SITUATIONS REQUIRING AN INCIDENT REPORT

In addition to crimes, the following activities, events and situations will require an Incident Offense Report:

- a. Any personal injury or event that might result in liability or a claim against the City (e.g., injury occurring on City-owned or operated property, or due to actions by a City employee).
- b. All drowning incidents or near-drowning incidents requiring medical attention.
- c. All suicides or attempted suicides (including statements or conduct resulting in a Baker Act).
- d. Major transportation, industrial, or chemical accidents.

- e. Natural disaster (e.g., hurricane, tornado, etc.) causing personal injury or property damage. The supervisor in charge of the scene will assign an officer to complete a police Incident Offense Report. The supervisor should advise the officer of the facts/points to be included in the report.
- f. Damage of \$50 or more to any City-owned property where no criminal activity is suspected and which is not likely to cause City liability.
- g. Found property where the owner is known and the property is not immediately returned.
- h. Any injury of a questionable nature which could be the result of a crime committed against, or by, the injured person.
- i. Any time an individual is taken into protective custody (e.g., detaining a substance abuse impaired person).
- j. All involuntary Marchman Act admissions to either the jail or a medical facility. (See the current issue of P&P 1208, Substance Abuse Services.)
- k. All "police-related" actions resulting in an arrest or other activity (e.g., physical detention) taking place outside the City limits of Orlando, when the officer has not been deputized or does not have explicit legal authority to take such action in the jurisdiction of the event.
- l. Whenever ordered by a superior or when the employee feels the event, situation, or circumstances should be documented.
- m. All Baker Act admissions by an officer shall require a police Incident Offense Report and the completion of state form CF-MH 3052a. (See the current issue of P&P 1114, Mental Health Cases [Baker Act].)
- n. Seizure of any property, including firearms or other weapons, whether or not criminal charges are filed.
- o. Whenever there is an unlockable/unsecured vehicle with property inside that cannot be properly secured, and the officer places the items into OPD Property and Evidence.

4. SITUATIONS NOT REQUIRING AN INCIDENT REPORT

The following situations, where death occurred and foul play was not suspected, will not require an Incident Offense Report:

- a. Any apparently natural death involving a Hospice program, VITAS, ORMC Home Health Care, Florida Hospital Home Health Care, or other licensed home healthcare agency will be treated as a medically attended death. The body may be removed without prior notification to the Medical Examiner if all the following conditions are met:
 - 1. A licensed home healthcare nurse, attending physician, paramedic/EMT, or law enforcement officer must be present at the scene after the patient's death.
 - 2. A physician's statement or a signed DNR order must be readily available at the patient's house indicating he or she will sign the death certificate. Verbal confirmation by the family that the patient was under the care of a hospice organization is also sufficient. If the officer has any questions as to the status of the patient, he or she shall notify the medical examiner's office.
 - 3. Law enforcement must be notified if any indication of foul play, trauma, suspicion of suicide, or other suspicious cause of death exists, and the death must subsequently be reported to the Medical Examiner.

When all conditions are met, and the death is deemed to be the result of the terminal illness, the funeral home may be contacted to make the removal without prior approval of the Medical Examiner.

- b. Any death at a nursing home is considered an attended death, like a hospital death, and no report is needed.
- c. Any unattended death that appears natural and both the Orange County Medical Examiner's Office and the on-scene officer agree that no foul play is suspected. The officer will assist the Orange County Medical Examiner's Office with the body and then obtain a case number. The officer would clear the call with a "no

report required" disposition. The primary assigned officer should make every attempt to notify next-of-kin. If the officer cannot locate any next-of-kin, prior to the end of his or her tour of duty, he or she should initiate an Incident Offense Report. This report will be forwarded to the Homicide Unit for further follow up. Additionally, officers shall adhere to the procedures for Decedent's Property outlined in the current issue of P&P 1123, Property & Evidence.

A report is not required for found property or drugs being placed into the Property and Evidence Section where the owner cannot be determined or the property has no identification number. A brief explanation of the find will be written on the back of the hard copy of the evidence form. A case number and evidence number will be obtained and a disposition of "ZZ, G" given.

5. VICTIMS' RIGHTS BROCHURE

Employees shall complete the first page of the Victims' Rights Brochure and provide the brochure to every victim of a crime. The Victims' Rights Brochure contains detailed information about the rights and obligations of victims and witnesses. Employees should refer to the current issue of P&P 1131, Victim Assistance and Notification, for additional instruction.

6. INCIDENT REPORT REQUESTS

All requests for copies of Incident Offense Reports will be referred to the Records Unit. For guidelines on releasing other reports or information, refer to the current issue of P&P 2304, Release of Information to the Media, and the current issue of P&P 2302, Public Records Requests.

7. FIELD INTERVIEW REPORTS (FIRs) AND PHOTOGRAPHS

Refer to the current issue of P&P 1111, FIRs (Field Interview Reports) and Photographs, for procedures on documenting information obtained during field contacts with suspicious persons.

8. TRAFFIC CRASH REPORTS

All motor vehicle crashes shall be documented as required by law and in accordance with the procedures set forth in the Traffic Operations Manual.

Traffic crash reports shall be completed electronically via the Computer Based Crash Reporting System. A sergeant or supervisor shall review each report prior to submission. Once submitted, traffic crash reports are stored with the Division of Highway Safety and Motor Vehicles. Copies of reports can be obtained either online or from the Records Unit according to statutory guidelines.

9. SIGNIFICANT EVENTS

Significant event entries will be made at the same time the field report is generated. The narrative will be a synopsis of the event. Names or addresses of sexual battery victims will not be in the narrative nor there any information that could be used to identify them.

Employees will complete an event sheet for the following incidents:

- a. Abduction.
- b. Arson.
- c. Auto theft with arrest.

- d. Burglary:
 - i. Auto burglary with arrest or potential pattern.
 - ii. Business burglary, actual or attempted.
 - iii. Occupied residential burglary, residential burglary with loss in excess of \$5,000 and/or potential pattern or arrest.
- e. Civil disturbance.
- f. Homicide.
- g. Aggravated battery.
- h. Aggravated assaults.
- i. Intelligence information for other watches (e.g., mental cases, potentially violent subjects).
- j. Sexual battery.
- k. Shootings.
- l. Robbery:
 - i. Armed.
 - ii. Strong-arm with injury or potential pattern.
- m. Industrial accidents or chemical spills.
- n. Missing persons under 12, adults who are mentally incompetent, and others when unusual circumstances exist.
- o. Natural disasters with major damage and/or requiring significant Departmental resources.
- p. Resisting arrests with violence/battery on LEO.
- q. Any event deemed necessary by the watch/section commander

10. OVERTIME OR EXTRA-DUTY REPORTS

Employees completing reports while working overtime or extra-duty will contact the on-duty patrol supervisor in the sector of origination. The supervisor will be advised of the report number and the payroll number of the person completing the report. Supervisors/ASLs will review these reports along with their squad's reports.

11. SUPERVISORS' REPORT REVIEW

All supervisors shall review and approve all reports completed by their squad and overtime and extra-duty employees working in their sector for accuracy, elements of the crime, and procedural issues by the end of their shift. Review and approval of reports will be accomplished via a computer terminal. Supervisors may make grammatical corrections to reviewed reports. Any changes regarding the synopsis of events and/or elements of the crime must be made by the submitting employee.

The Report Review/Information Unit will not make any changes to the report. Once merged, the original report cannot be changed or corrected. If any errors are found after the report has been merged, an email will be sent to the officer and his/her supervisor requesting a supplement to verify or add information, such as a Teletype entry, etc.

ATTACHMENT A (CONTINUED)

ORLANDO POLICE DEPARTMENT	Case #: <input style="width: 100%;" type="text"/>
	Statement (CONTINUED)
Sample	
Sworn to and subscribed before me, this ____ day of _____, _____ _____ Notary Public <input type="checkbox"/> Law Enforcement Officer <input type="checkbox"/> Name Key <input type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type _____	I swear/affirm the above and/or attached statements are correct and true. Signature: _____ Page ____ of ____
White: State Attorney Yellow: Records	

ATTACHMENT B**ORLANDO POLICE DEPARTMENT
EXEMPTION FROM PUBLIC RECORDS DISCLOSURE FORM
OPD Case # _____**

This form is a request for exemption of certain information from public records disclosure involving individuals currently or formerly employed as:

- Code Enforcement Officer.
- Dept. of Business and Prof. Reg. investigators and inspectors.
- Dept. of Children and Family Services personnel whose duties involve investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities.
- Dept. of Health personnel whose duties support the investigations of child abuse or neglect.
- Dept. of Health personnel whose duties include, or result in, the determination/adjudication of eligibility for social security disability benefits, investigation/prosecution of complaints filed against health care practitioners, or inspection of health care practitioners or health care facilities licensed by the Dept. of Health.
- Dept. of Financial Services personnel whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations.
- Dept. of Revenue personnel or local government personnel whose duties include revenue collection and enforcement or child support enforcement.
- Emergency medical technicians or paramedics certified under chapter 401, F.S.
- Firefighter certified in compliance with s. 633.408, F.S.
- Guardian ad litem as defined in s. 39.820, F.S.
- Human resource, labor relations, or employee relations director; assistant director, manager, or assistant manager of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties.
- Impaired practitioner consultant, retained by an agency, whose duties result in determination of person's skill and safety to practice licensed profession (includes consultant's employees).
- Justice of Florida Supreme Court; or judge of district court of appeal, circuit court, or county court.
- County Tax Collector.
- Inspector general or internal audit dept. personnel whose duties include auditing/investigating waste, fraud, abuse, theft, exploitation, or activities that could lead to criminal prosecution or admin. discipline.

- Judicial or quasi-judicial officer (general/special magistrate, judge of compensation claims, administrative law judge of the Div. of Admin. Hearings, and child support enforcement hearing officer).
- Juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I/II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Dept. of Juvenile Justice.
- Law enforcement personnel, including correctional officers and correctional probation officers.
- Prosecutor (state attorney, assistant state attorney, statewide prosecutor, assistant statewide prosecutor).
- Public defenders and criminal conflict and civil regional counsel (includes assistant public defenders, assistant criminal conflict and assistant civil regional counsel).
- Member of U.S. Armed Forces, reserve component of U.S. Armed Forces, or National Guard who served after 9/11/2001.
- U.S. Attorney or Assistant U.S. Attorney, U.S. circuit judge, U.S district judge, or U.S. magistrate judge.

I, _____,

(Print Name)

(Date of Birth)

do hereby request that information which reveals any information exempt from disclosure pursuant to Florida's Public Records Laws, as defined in Chapter 119, Fla. Stat.

Under penalties of perjury, I, _____, declare that I have read the foregoing public records exemption request and that the designation selected in it is true, to the best of my knowledge and belief.

Signature

Date

OPD Report Staff Name and I.D.